

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.18989 of 2017

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Arvind Chaudhary S/o Munilal Chaudhary, Resident of Village-Makwa, P.O. Makwa, P.S.-Asarganj, District-Munger.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. The Circle Officer, Circle-Asarganj, District-Munger.
3. Satish Kumar Satya Son of Late Ram Kishun Panjiyara, Resident of Village-Makwa, P.O. Makwa, P.S.-Asarganj, District-Munger.

... .. Respondent/s

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Appearance :

For the Petitioner/s	:	Mr. Rajesh Kumar Mishra, Advocate Mr. Nalin Vilochan Tiwary, Advocate Mr. Basant Kumar, Advocate
For the State	:	Mr. Vivekand Singh, AC to GP-18
For the Respondent No.4:	:	Mr. Sandeep Patil, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 05-08-2025 Heard the parties.

2. The present petition has been preferred for the following relief(s):

(i) Whether the impugned order passed by the Circle officer is sustainable in the eyes of law being against the documents on record?

(ii) Whether the petitioner ought to have been granted an opportunity of hearing especially when the Circle officer relied upon a report that the petitioner's ancestors had two houses which was completely incorrect?

(iii) Whether the Khatiyani is a document which has to be relied upon for deciding the title or nature of usage of the land and from perusal of the



same it is clear that it carries the entry 'Gair Majarua Malik and Thekedar'?

(iv) Whether the impugned order has been passed on extraneous considerations ignoring the documents on record?

(v) Whether the so called agreement had to be tested before accepting it to be true as submitted by the private respondent in order to show their title over the land?

(vi) Whether in any view of the matter the impugned orders are bad on facts and well as law and fit to be set-aside?"

3. Mr. Tiwari, learned counsel for the petitioner, at the outset submits that he may be permitted to approach the appropriate Authority/Court to make them satisfied that he is a landless person, so that appropriate order can be passed by them.

4. The State has no objection to it. Though, he submit that according to the information, the petitioner has land/building.

5. In view of the limited prayer that has been made by the learned counsel for the petitioner, liberty is granted to approach to the Competent Authority/Court for redressal of the grievance.

6. It is made clear that any person much less the



petitioner, if found landless, he can only request the Authority for settlement and cannot expect from the respondents that a particular piece of land is/are provided to him/her.

7. Granting the said liberty, the writ petition is disposed off.

(Rajiv Roy, J)

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